IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 23117 of 2006(B)

PETITIONER:

K.SINDHU,
LECTURER SENIOR GRADE,
DEPARTMENT OF ECONOMICS,
THE COCHIN COLLEGE, KOCHI.

BY ADV. SRI.K.M.KURIAN
SRI.P.VIJAYAKUMAR

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY PRINCIPAL SECRETARY,
HIGHER EDUCATION (C) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,
ERNAKULAM.

3. THE SUB TREASURY OFFICER,
MATTANCHERRY.

4. THE PRINCIPAL,
THE COCHIN COLLEGE, KOCHI.

5. MAHATMA GANDHI UNIVERSITY,
REP. BY ITS REGISTRAR,
PRIYADARSHINI HILLS, KOTTAYAM.

R1 TO R3 BY GOVT. PLEADER SRI. T.T. MUHAMMED.
R5 BY SC SRI. V.A. MUHAMMED.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 23117/2006.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF APPOINTMENT ORDER.

EXT. P2 : TRUE COPY OF ORDER NO.AC.BILL-3/581/99 ISSUED BY SYNDICATE SUB COMMITTEE ON AFFILIATION OF MAHATMA GANDHI UNIVERSITY.

EXT. P3 : TRUE COPY OF ORDER NO.BV-(2)/758/2004 SYNDICATE SUB COMMITTEE ON AFFILIATION OF MAHATMA GANDHI UNIVERSITY.

EXT. P4 : TRUE COPY OF ORDER OF HIGHER EDUCATION DEPARTMENT.

EXT. P5 : TRUE COPY OF PROCEEDINGS OF ADALATH.

EXT. P6 : TRUE COPY OF JUDGMENT IN W.P.(C) 26161 OF 2003.

EXT. P7 : TRUE COPY OF JUDGMENT IN W.P.(C) 8066 OF 2006.

K.M.JOSEPH, J.

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WP.(C) No.23117 OF 2006

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Dated this the 18th day of December, 2006

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner was appointed as Junior Lecturer on 17.2.1997. It is approved by Ext.P2. It is her further case that by Ext.P3, the Sub Committee of the Syndicate on affiliation at its meeting had resolved to approve provisionally the promotion of the petitioner as Lecturer Senior Grade with effect from 17.2.2003. However, salary is not being paid.

2. Heard Government Pleader also.

The writ petition is disposed of as follows:

The second respondent will place his objections to Ext.P3 before the fifth respondent within a period of one month from the date of receipt of a copy of this judgment. The fifth respondent will meticulously consider the objections of the second respondent and pass a reasoned order, which shall be communicated to the petitioner and the second respondent. If the decision taken by the fifth respondent is to reiterate Ext.P3, then the matter will be governed by the decision of

this court in **Cherian Mathew v. Principal, S.B.College, Changanassery** (1998(2) K.L.T. 144) and the decision reported in **O.Jayaprasad v. State of Kerala** (2003 (2) K.L.J.189) and the monetary benefits due to the petitioner on the basis of Ext.P3 will be paid to the petitioner without any further delay.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.